UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS JUAN CARLOS DUARTE-VASQUEZ, Petitioner, CIVIL ACTION NO. 1:24-CV-169 versus WARDEN, FCI BEAUMONT LOW, Respondent.

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner Juan Carlos Duarte-Vasquez, proceeding pro se, filed this petition for writ of habeas corpus. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of the court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending a motion for summary judgment filed by the respondent be granted and the petition denied pursuant to Federal Rule of Civil Procedure 56. To date, the parties have not filed objections to the Report and Recommendation.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law set forth in the Report are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#5) is **ADOPTED**. The motion for summary judgment (#4) is **GRANTED**. A final judgment will be entered denying the petition.

SIGNED at Beaumont, Texas, this 20th day of November, 2024.

Maria a. Crone UNITED STATES DISTRICT JUDGE